

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ORIGINAL
ILLINOIS
COMMERCE COMMISSION

JAN 28 2 02 PM '02

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

CHIEF CLERK'S OFFICE

Illinois Bell Telephone Company)	
)	
Application for Review of Alternative)	
Regulation Plan)	Docket No. 98-0252
)	
Illinois Bell Telephone Company)	
)	
Petition to Rebalance Illinois Bell Telephone)	
Company's Carrier Access and Network)	Docket No. 98-0335
Access Line Rates)	
)	
Citizens Utility Board and the People of the)	
State of Illinois)	Docket No. 00-0764
v.)	
Illinois Bell Telephone Company)	(Consolidated)

REPLY TO RESPONSES TO JOINT MOTION TO REOPEN THE RECORD

NOW COME the People of the State of Illinois, by and through James E. Ryan, Attorney General; the Citizens Utility Board, by its attorney; the Cook County State's Attorney's Office, by and through Richard A. Devine, State's Attorney; and the City of Chicago, by and through Mara S. Georges, Corporation Counsel ("GCI/City") and respectfully reply to responses to their Joint Motion to Reopen the Record, filed jointly with Ameritech Illinois ("Joint Motion"). In reply to responses filed by the Staff of the Illinois Commerce Commission ("Staff"), GlobalCom, Inc. and XO Illinois, Inc. ("GlobalCom/XO"), AT&T Communications of Illinois, Inc., WorldCom, Inc. and McLeodUSA, Inc. ("CLECs/IXCs") and Z-Tel Communications, Inc. ("Z-Tel"), GCI/City state as follows:

1. The Staff has properly limited its response to the Joint Motion to the issue of the most appropriate docket in which to consider the merits of the Joint Motion's substantive proposals and to those other procedural steps necessary to fairly and efficiently protect the rights of all parties affected by the proposal.

2. In furtherance of these goals, Staff has proposed that the Commission order the Clerk's Office to notice all parties to the instant proceeding, to Docket No. 98-0555 and to Docket No. 01-0128 of the reopening of this docket for consideration of the joint proposal relating to merger costs and savings. Staff has also recommended that the Commission direct the Joint Movants to serve the Joint Motion on all such parties. To effect this goal, Staff has supplied a Draft Order reopening the instant proceeding (Staff Exhibit No. 2) and a Proposed Schedule for Reopening (Staff Exhibit No. 1). GCI/City agree with Staff that the issues raised should be resolved as expeditiously as possible and support Staff's proposed schedule and notice requirements.

3. Z-Tel, CLECs/IXCs and GlobalCom/XO, in their respective responses, have all made substantive comments regarding the merits of the proposal contained in the Joint Motion. The substantive issues raised by these parties such as the effect of the proposal on local competition and on TELRIC rates are matters that we recognize should be addressed in considering the proposal. The Commission necessarily must afford all affected parties a full and fair opportunity to be heard on these issues and on the joint proposal, in whatever proceeding the Commission deems most appropriate. GCI/City therefore support the Staff's recommendation that the affected parties be given an opportunity to intervene and be heard on the propriety of the Joint Proposal in the instant docket, according to Staff's proposed schedule.

4. In the alternative, GCI/City have no objection to the merger savings issue being severed from the Alternative Regulation Docket and a new docket be opened, if the Commission deems such procedures necessary, to afford all parties an opportunity to be heard. We agree with the Staff that the Commission has the authority to rescind, modify or amend its orders under Section 10-113 of the Public Utilities Act, 220 ILCS 5/10-113, and that such authority does not necessarily require reopening the docket in which the order was entered as much as it requires that notice and an opportunity to be heard be provided the affected parties. Staff Response, para.

9. Staff's proposal correctly requires that such notice and hearing is afforded the affected parties.

WHEREFORE, GCI/City respectfully request that the Commission grant the Joint Motion, reopen the record in the instant proceeding, notice those parties referred to in the arguments set forth above and adopt the "Draft Order Reopening Proceeding" attached to Staff's response to the Joint Motion. In the alternative, GCI/City request that the Commission open a new docket to consider the propriety of the proposal contained in the Joint Motion.

Respectfully submitted,

THE CITY OF CHICAGO
Mara S. Georges
Corporation Counsel

THE PEOPLE OF THE STATE OF ILLINOIS
James E. Ryan, Attorney General

By: Jack A. Pace ^{RK}
Jack A. Pace
Assistant Corporation Counsel
Regulatory and Aviation Litigation Div.
30 N. LaSalle St., Suite 900
Chicago, Illinois 60602
(312) 744-6997
jpace@ci.chi.il.us

By: Janice A. Dale ^{RK}
Janice A. Dale, Chief
Public Utilities Bureau
Office of the Attorney General
100 Randolph St., 11th Floor
Chicago, Illinois 60601
(312) 814-3736
jdale@atg.state.il.us

CITIZENS UTILITY BOARD
One of its Attorneys

By: Robert Kelter
Robert Kelter
Director of Litigation
Citizens Utility Board
208 S. LaSalle Street, Ste. 1760
Chicago, Illinois 60604
(312) 263-4282
rkelter@cuboard.org

THE COOK COUNTY STATE'S ATTORNEY'S
OFFICE

Richard A. Devine, Cook County State's Attorney

By: Mark N. Pera ^{RK}
Mark N. Pera
Assistant State's Attorney
Supervisor, Environment & Energy Division
Cook County State's Attorney's Office
69 West Washington, St., Suite 700
Chicago, Illinois 60602
312-603-8632
312-603-9835 (fax)
MPera@Cookcountygov.com

January 25, 2002

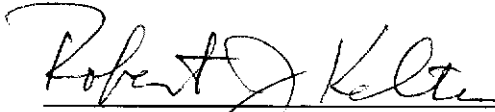
**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Illinois Bell Telephone Company	:	98-0252
Application for review of alternative regulation plan.	:	
Illinois Bell Telephone Company	:	98-0335
Petition to rebalance Illinois Bell Telephone Company's Carrier Access and Network Access Line Rates.	:	
Citizens Utility Board and	:	
The People of the State of Illinois	:	
-vs-	:	
Illinois Bell Telephone Company	:	00-0764
Verified Complaint for a Reduction in Illinois Bell Telephone Company's Rates and Other Relief.	:	(cons.)

NOTICE OF FILING

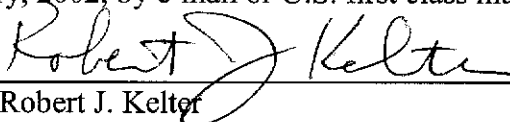
TO: See Attached Service List

PLEASE TAKE NOTICE that on January 25, 2002, we have filed the enclosed Notice of Issues for Oral Argument in the above-captioned docket with the Illinois Commerce Commission by U.S. Mail, postage pre-paid and by e-mail.


Robert J. Kelter
Director of Litigation
Citizens Utility Board

CERTIFICATE OF SERVICE

Robert J. Kelter, attorney for CUB, hereby certifies that a copy of the enclosed Notice of Issues for Oral Argument was served on all parties on the attached Service List on the 25th day of January, 2002, by e-mail or U.S. first class mail prepaid.


Robert J. Kelter
Director of Litigation
Citizens Utility Board

Service List: 00-0764

Karl B Anderson
Illinois Bell Telephone Company
225 W. Randolph, Floor 25D
Chicago IL 60601

Ann Bloss
Cook County State's Attorney's office
Suite 700
69 West Washington Street
Chicago IL 60602

Sean R Brady
Illinois Commerce Commission
160 N. LaSalle St., Ste. C-800
Chicago IL 60601-3104

Terri L Brieske
Atty. for McLeodUSA Telecommunications Serv
Schiff Hardin & Waite
6600 Sears Tower
Chicago IL 60606

David J Chorzempa
AT&T Communications of Illinois, Inc.
222 W. Adams St., Ste. 1500
Chicago IL 60606

Torsten Clausen
Hearing Examiners' Assistant
Illinois Commerce Commission
527 E. Capital Ave.
Springfield IL 62701

Janice A Dale
Assistant Attorney General
Public Utilities Bureau
100 W. Randolph St., 11th Fl.
Chicago IL 60601

William A Davis II
AT&T Communications of Illinois, Inc.
222 W. Adams St., Ste. 1500
Chicago IL 60601

Matt C Deering
Atty. for Intervenors
Meyer Capel, a Professional Corporation
306 W. Church St., PO Box 6750
Champaign IL 61826-6750

Joseph E Donovan
Atty. for IPTA
O'Keefe, Ashenden, Lyons & Ward
30 N. LaSalle St., Ste. 4100
Chicago IL 60602

Leijuana Doss
Assistant State's Attorney
Cook County State's Attorney's Office
69 W. Washington, Ste. 700
Chicago IL 60602

John F Dunn
AT&T Communications of Illinois, Inc.
222 W. Adams St., Ste. 1500
Chicago IL 60606

Patrick N Giordano
Atty. for NEXTLINK Illinois, Inc.
Giordano & Associates, Ltd.
55 E. Monroe, Ste. 3040
Chicago IL 60603

Allan Goldenberg
Cook County State's Attorney's Office
69 W. Washington, Ste. 700
Chicago IL 60602

John Gomoll
AT&T
222 W. Adams - Fl.15
Chicago IL 60606

Kathleen L Greenan
Atty. for Focal Communications Corporation of I
Swidler Berlin Shereff Friedman, LLP
3000 K St., N.W., Ste. 300
Washington DC 20007-5116

Michael Guerra
Atty. for Verizon North/South Inc.
Sonnenschein Nath & Rosenthal
8000 Sears Tower
Chicago IL 60606

Cheryl Hamill
AT&T Communications of Illinois, Inc.
222 W. Adams St., Ste. 1500
Chicago IL 60606

Matthew L Harvey
Illinois Commerce Commission
160 N. LaSalle St., Ste. C-800
Chicago IL 60601-3104

Kemal M Hawa
Atty. for Focal Communications Corporation of I
Swidler Berlin Shereff Friedman, LLP
3000 K St., NW, Ste. 300
Washington DC 20007-5116

Richard E Heatter
MGC Communications, Inc.
171 Sully's Trail, Ste. 202
Pittsford NY 14534

John Hester
Illinois Commerce Commission
Ste. C-800
160 North LaSalle
Chicago IL 60601-3104

Kent F Heyman
Vice President & General Counsel
MGC Communications, Inc.
171 Sully's Trail, Ste. 202
Pittsford NY 14534

Lincoln V Janus
Illinois Bell Telephone Company
Floor 29B
225 W. Randolph St.
Chicago IL 60601

Rhonda J Johnson
Vice President
555 Cook St., Fl. 1E
Springfield IL 62721

Henry T Kelly
Atty. for IPTA
O'Keefe, Ashenden, Lyons & Ward
30 N. LaSalle St., Ste. 4100
Chicago IL 60602

Mark A Kerber
Counsel
Illinois Bell Telephone Company
225 W. Randolph St., 25D
Chicago IL 60606

Clyde Kurlander
Atty. for NEXTLINK Illinois, Inc.
Three First National Plaza, Ste. 2375
Chicago IL 60602

Karen L Lusson
Citizens Utility Board
208 S. LaSalle, Ste. 1706
Chicago IL 60604

Owen E MacBride
Atty. for McLeodUSA Telecommunications Serv
Schiff Hardin & Waite
6600 Sears Tower
Chicago IL 60606

Calvin Manshio
Atty. for Cable Television & Communications Association
Manshio & Wallace
4753 N. Broadway Ave., Ste. 732
Chicago IL 60640

Barry Matchett
Illinois Commerce Commission
160 North LaSalle St., Ste. C-800
Chicago IL 60601-3104

Daniel Meldazis
Focal Communications Corporation
200 N. LaSalle St.
Chicago IL 60601

Jennifer Moore
Illinois Commerce Commission
160 N. LaSalle St., Ste. C-800
Chicago IL 60601-3104

Dennis K Muncy
Atty. for Intervenors
Meyer Capel, a Professional Corporation
306 W. Church St.
PO Box 6750
Champaign IL 61826-6750

Joseph D Murphy
Atty. for Intervenors
Meyer Capel, a Professional Corporation
306 W. Church St., PO Box 6750
Champaign IL 61826-6750

Peter Q Nyce Jr.
General Attorney
Department of the Army
901 N. Stuart St.
Arlington VA 22203-1837

Jack A Pace
Assistant Corporation Counsel
City of Chicago
30 N. LaSalle St., Suite 900
Chicago IL 60602-2580

Mark N Pera
Assistant State's Attorney
Cook County State's Attorney's Office
69 W. Washington, Ste. 700
Chicago IL 60602

Carol P Pomponio
Manager, Regulatory Affairs
XO Illinois, Inc.
Concourse Level
303 E. Wacker
Chicago IL 60601

Richard M Rindler
Atty. for Focal Communications Corporation of Illinois
Swider Berlin Shereff & Friedman
3000 K St., NW, Ste. 300
Washington DC 20007-5116

John E Rooney
Atty. for Verizon North/South Inc.
Sonnenschein Nath & Rosenthal
8000 Sears Tower
Chicago IL 60606

Susan L Satter
Illinois Attorney General's Office
11th Floor
100 W. Randolph
Chicago IL 60601

Kenneth A Schiffman
Sprint Communications Company, L.P.
8140 Ward Pkwy., 5E
Kansas City MO 64114

Susan Shay
GTE North/South Incorporated
1312 E. Empire St.
Bloomington IL 61701

Greg Smith
GTE North/South Incorporated
Mail Code: ILLARA
1312 E. Empire St.
Bloomington IL 61701

Marie Spicuzza
Assistant State's Attorney
Cook County State's Attorney's Office
69 W. Washington, Ste. 700
Chicago IL 60602

Tom Stanton
Illinois Commerce Commission
160 N. LaSalle St., Ste. C-800
Chicago IL 60601

Genio Staranczak
Co-Case Manager
Illinois Commerce Commission
527 E. Capitol Ave.
Springfield IL 62701

Louise A Sunderland
Illinois Bell Telephone Company
225 W. Randolph, hQ-25D
Chicago IL 60601

Darrell Townsley
State Regulatory & Governmental Affairs
MCI Telecommunications Corporation
205 N. Michigan Ave., Ste. 3700
Chicago IL 60601

Julie VanderLaan
Illinois Commerce Commission
527 E. Capitol Ave.
Springfield IL 62701

John F Ward Jr.
Atty. for IPTA
O'Keefe, Ashenden, Lyons & Ward
30 N. LaSalle St., Ste. 4100
Chicago IL 60602

Michael W Ward
Atty. for Data Net Systems, L.L.C.
Michael W. Ward, P.C.
1608 Barkley Blvd.
Buffalo Grove IL 60089

Nancy Wells
AT&T
Floor 3
913 South Sixth Street
Springfield IL 62703